

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

GLORIA HILL,

Plaintiff,

vs.

U.S. BANK HOME MORTGAGE, JOE
VASCO, and 100 YEAR HOMES, INC.,

Defendants.

8:21CV332

**MEMORANDUM
AND ORDER**

On November 8, 2021, the court entered a Memorandum and Order which (1) granted Plaintiff's motion for reconsideration (Filing 13), (2) set aside and vacated the court's Memorandum and Order (Filing 9) and Judgment (Filing 10) that were entered on October 25, 2021, and (3) gave Plaintiff seven days to file an amended complaint in accordance with the court's September 22, 2021 Memorandum and Order (Filing 8). Plaintiff was warned that failure to file an amended complaint by November 15, 2021, would result in the court dismissing this case without further notice to Plaintiff.

The court granted Plaintiff's motion for reconsideration based on excusable neglect. Plaintiff represented that she had attempted to file an amended complaint using PACER on October 18, 2021, but that she had neglected to obtain approval for electronic filing in this case. Plaintiff was granted approval for electronic filing on October 25, 2021, and she was sent electronic notice of the court's November 8, 2021 Memorandum Order at the time it was filed.

Because Plaintiff did not file an amended complaint by November 15, 2021, this case will again be dismissed for failure to prosecute and failure to comply with the court's orders. As before, the dismissal will be without prejudice to refile (i.e. to commencing a new lawsuit).

On November 12, 2021, Plaintiff filed a motion for reconsideration (Filing 15) which is identical to Filing 13. This redundant motion will be ordered stricken.

IT IS THEREFORE ORDERED:

1. Plaintiff's motion for reconsideration (Filing 15) is stricken from the court file, as redundant.
2. This matter is dismissed without prejudice because Plaintiff failed to prosecute it diligently and failed to comply with this court's orders.
3. The court will enter judgment by a separate document.

Dated this 16th day of November 2021.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge